

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
April 14, 2003 7:00 PM**

PRESENT: Brian C. Warburton, Chairman, Virginia Bridle,
William Sullivan, James A. Workman, Cliff Pratt
James S. Barrington, Town Manager
Karen Anderson, Administrative Assistant

PUBLIC HEARING

The Board of Selectmen held a public hearing to take comments on the amendment of Hampton Town Ordinance Article 5, Sec. 3:501 (a) to read in part: It shall be unlawful for any person having custody or control of any vehicle to park or cause same to be parked that shall interfere with snow removal from the roadways or from any municipal parking lot during a Snow Emergency and also amend Sec. 3:502 to add "during a duly declared Snow Emergency the area designated as All Day/Overnight must be cleared of all vehicles during the hours of 9:00 PM – Midnight.

Mr. Warburton read a letter received from H. Alfred Casassa: *Dear Mr. Barrington: It is my understanding that there will be a public hearing before the Board of Selectmen this evening concerning the use of the Hampton Municipal Parking Lot. As a follow-up to my recent telephone call to your assistant, Karen Anderson, I wish to offer the following for the Board's consideration: I believe that the easterly sideline of the parking lot, which is now used for overnight parking without restriction, should be changed to allow parking for no longer than 24 hours. The reason for this is that I think it has become apparent that many people are leaving their cars in the designated overnight parking spots for days and weeks on end. Dead storage of automobiles was not intended to be a use of the overnight parking area. Unfortunately people seeking overnight parking have been parking in my employee lot and when my employees come to work the overnight parkers have not left and some of my employees have to park in the municipal lot. I think this minor change will help alleviate the problem. The historical primary intended use of the municipal parking lot was to provide parking for people coming into the downtown area to shop. This intended use has become somewhat frustrated by the overnight parking area abuse. I appreciate your consideration of the overall problem. H. Alfred Casassa*

Mrs. Beverly Prakop, 401 Winnacunnet Road, proposed that the 24- hour parking on the easterly side be left in place and a sign be added that reads "24-hour parking, no storage of vehicles or your car will be towed". Mrs. Prakop said that moving the snow to the rear of the lot took up at least 7 parking spots and she also felt that the parking space lines were painted too far apart and more spaces could be accommodated. She said that if all of the cars parked along that side had to move between 9:00 PM and Midnight when it snowed, it would be a cruel law to be put in place for the residents that need to park there. Mrs. Prakop asked the Board of Selectmen to be kind to the residents that live downtown.

Mr. Russell Merrill, 24 Academy Avenue said that he read the proposed change and agrees that something needs to be done, but recommended that the Board take this suggestion into consideration, try to get more information and discuss it further with a committee of business people from downtown. Mr. Merrill told the Board that he has concerns both as a business owner and landlord.

Mr. Charlie Preston, 47 Glade Path said that he agreed with Mr. Merrill that there should be a committee set up. He suggested an "east-west system" for parking which would require cars to alternate sides of the lot each day and prevent storage of vehicles. Mr. Preston said that the system has worked well for cities and he will also be suggesting it to the State for the CPE lot.

Mr. Richard Reniere, 29 Highland Avenue asked what the penalty for a violation was. Mr. Warburton noted that on Article 5, the penalty is that the car will be towed and stored at the owner's expense. Mr. Reniere confirmed that the intent of this ordinance is to correct the situation at the High Street lot.

Mr. Dean Merrill, of Tobey & Merrill asked if the ordinance is up for a vote tonight. Mr. Warburton said that after public comment the Board will discuss what action they would like to take. Mr. Merrill said that he has some concerns with the time frame for moving the cars and where they would park during that period. He said that there have been some discussions about the lot and Parker Survey has agreed to look at the lot as far as striping. Mr. Merrill said that there could be some good comments from the residents and businesses from that area.

There were no further public comments and the hearing was closed at 7:18 PM

Mr. Sullivan said that the change deals mainly with snow conditions and he would like to consider the ideas presented and did not feel that the Board needed to reach a decision tonight.

Mrs. Bridle said that she would like to see a committee formed with Mr. Merrill, Mr. Noel, Attorney Casassa and anyone else that is interested. She said that this is a visitor/shopper problem as well as a residential problem. Mr. Pratt said that he was also in favor of a committee. Mr. Warburton asked if there was a way to include this with the new downtown committee. Mr. Warburton asked Mr. Barrington to work with Mr. Merrill and Attorney Casassa to see about getting people together to discuss this. Mr. Barrington said that he would do that.

I. SALUTE TO THE FLAG

The Pledge was led by Mr. Steve Jusseaume.

II. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Channel 22

Mr. Pratt said that he heard from three people already last week that the sound quality on channel 22 has improved and he thanked Mr. Jett and the committee for doing their part in fixing it.

Easter Egg Dig

The annual Easter Egg Dig will take place on Saturday, April 19th in front of the Casino from 10:00 – 11:00 AM.

Landfill Perimeter Fence

Mr. Pratt thanked Public Works for repairing the fence around the perimeter of the landfill. He noted that it had been damaged through the winter and was looking pretty shabby.

Yellow Ribbons

Mrs. Bridle thanked the residents that put yellow ribbons around town. She said that they look wonderful and she appreciates it.

Benefit Concert

The Holy Name Society is holding a benefit concert on Saturday, April 26th at WHS featuring James MacDougal and the Funky Divas of Gospel.

Channel 22

Mr. Sullivan announced that a fifth camera has been installed in the Selectmen's Meeting Room and thanked the Cable Committee and the technician that has been working all week for the great job they have done to improve the broadcasts.

Support the Troops Rally

The Board of Selectmen commended all those responsible for putting on the Support the Troops rally in North Hampton on Sunday. It was a great turnout and very well done. Mr. Warburton said that he attended the rally and there were upwards of 700 people attending. He congratulated Chris Galipeau, Ralph Fatello and Liz Gavinski for organizing it and noted that the speakers included Gerry McConnell, Fred Rice, Jack

Voght, and Mr. Stevens, the father of the young man that lost his son in a Black Hawk accident recently. Mr. Warburton commended Connie Voght and June Bean for their efforts in getting the yellow ribbons in place. Mr. Barrington noted that a flag has been draped off the roof of the Town Office.

Tax Office

The Tax Collector's office will be closed Tuesday, April 15th for the Tax Collector and Deputy to attend a workshop.

III. APPOINTMENTS

1. Mrs. Mary-Louise Woolsey, Budget Committee

Mrs. Woolsey and Mrs. Carliell approached the Board. Mr. Warburton stated that the appointment was for Mrs. Woolsey and he suggested that if Mrs. Carliell would like to speak, it would be welcomed at the end of the meeting under public comment. Mrs. Carliell said that she takes exception to that and said that there have been other appointments where associates have joined people at appointments. Mr. Warburton said that the rules were made clear to Mrs. Woolsey and he asked Mrs. Carliell to leave the table. Mrs. Carliell said that she expected this to happen and felt it was very sad.

Mr. Sullivan said that there were three issues that brought the Board to this point from the Budget Committee meeting he attended for Mrs. Bridle. He said that one of the points was the inviting of the department heads to meet with the committee, and at that time he suggested that the Recreation Director be included as well; Mrs. Woolsey's request for a list of vehicles and who was driving them; and more timely financial reports from the town. Mr. Sullivan said that the issues were brought to the Board of Selectmen. He noted that he had received calls from the department heads in regard to attending budget committee meetings.

Mrs. Woolsey said that she had asked the former chairman, Mr. Rice, during the work sessions for a more complete list of vehicles and the assignment of the vehicles because she thinks the town has reached a point where it is supporting a large number of vehicles. She said that the number may be necessary, but the Budget Committee should know who has control of them, she added that she does not think it was an unreasonable request. Mrs. Woolsey said that the School Board provides reports on a monthly basis, and has always done so and in her conversation with Mrs. Anderson on March 11th she asked about quarterly reports. Mrs. Woolsey said that Mrs. Anderson told her that the reports for January through March are on a quarterly basis because the final budget figures have not been confirmed, and then the reports are monthly from that point. Mrs. Woolsey said that while they did receive the expenditure report in March they did not have a revenue report attached. Mrs. Woolsey said that as far as the department heads are concerned, the Budget Committee would like to meet with the three major department heads at the monthly meetings to understand aspects of their departments in order to prepare for the 2004 budget. Mrs. Woolsey said that they are merely watching and keeping track of the budget; they can't just sit down in November and pull things out of a hat. Mrs. Woolsey said that it is not an unreasonable request to have the department heads at the meetings and stated that the Budget Committee is only trying to do their job. Mrs. Woolsey said that the Board of Selectmen is required to comply with the Budget Committee's request and it was not unreasonable. Attorney Slack's information in the *Basic Laws of Budgeting* states "the governing body is required to submit expenditures and receipts to the Budget Committee as requested".

Mrs. Woolsey said that she thinks Mr. Warburton's treatment, and the other Selectmen by their silence, is an insult to the voters of this town. She stated that she expects to be advised which department head will attend the Budget Committee meetings in May, June and October and reminded them that the Town Manager and the Recreation Director have been scheduled for the April meeting. Mrs. Bridle asked if the Budget Committee voted to meet in June. Mrs. Woolsey said that when the vote was made last year not to meet in April, 2002 she inserted into the minutes that it would not set a precedent. Mrs. Bridle asked if a vote had been taken this year for a June meeting. Mrs. Woolsey said that the Budget Committee is following the guidance of the Chairman. Mr. Pratt said that his research has shown that the Town Manager has met with the Budget Committee in the Spring, but he feels that the Department Heads should not meet

with them until October, November and December. Mrs. Woolsey explained that the Budget Committee has many new members and is trying to understand the framework of how the departments operate, and they would be remiss in their duties if they did not educate themselves on what they have to do. She added that the most fearsome power a government has is the power to tax, to take money from your pocket and use it for the common good. The Budget Committee has a duty to look out for the public interest and account for the manner of how the money is used. Mr. Warburton said that there will be no appointment at the Budget Committee meeting tomorrow with the Town Manager and the Recreation Director and when the Board of Selectmen feels it is appropriate they will schedule the Department Heads. Mrs. Woolsey said that the Board of Selectmen is defying the request of the Budget Committee and it is very sad for the taxpayers of this community.

IV. OLD BUSINESS

Town Manager's Report

Spring Cleanup

Public Works Director John Hangen reports that the annual spring cleanup is being scheduled for the week of May 12 – 16 in the uptown area and the week of May 19 – 23 for the areas south of Winnacunnet Road and east of the marsh. The Transfer Station hours will be changing May 19 to the summer hours. The spring collection of leaves and soft yard waste (excluding limbs and brush) will be town wide the week of April 28.

Private Roads

Mr. Barrington reported that he met with Attorney Gearreald, Police Chief Wrenn, Fire Chief Lipe, Public Works Director Hangen to discuss the parking situation on private roads, especially as it relates to public safety and snow clearing. Attorney Gearreald is of the opinion that state law gives the Board of Selectmen the authority to regulate parking on private roads in certain circumstances when public safety concerns are involved. By declaring certain Class VI roads as emergency lanes, snow emergency and parking restrictions can then be placed by the Board and enforced by the administrative departments. We are working on developing a list that can be incorporated specifically into an ordinance that the Selectmen can review.

Mr. Sullivan asked if an emergency lane is the same as a fire lane. Mr. Barrington said that there is a distinction in the law, which would allow the Board of Selectmen to institute parking bans on private roads for snowstorms and other reasons.

Assessment Certification

Mr. Warburton said that last Wednesday there was a meeting with DRA on the assessment certification. Mr. Sullivan confirmed that he attended the meeting and met Mary Souther, the representative from DRA that will be acting as a type of auditor to test the town's assessing standards and procedures. It was noted that Mr. Estey was recognized as one of the best Assessor's in the State and was well prepared for the meeting. Ms. Souther will be around for a few months, checking various properties to make sure it is properly measured and recorded on the tax card. There are points assessed against the town for errors and if a certain number of points are reached it will trigger a required re-measure/re-list. Mr. Sullivan said that it appears our Assessing Department is in better shape than most. Mr. Barrington said that Mr. Estey has been planning to do a remeasure/relist in about five years. Mr. Sullivan said that Mr. Estey was surprised to learn that they needed to add the value of driveways; which he had not been doing unless it clearly enhanced the value of the property.

V. NEW BUSINESS

Sewer Abatement Request

Mr. Warburton noted that this request for an abatement had been denied due to late filing. The resident has written to the Board indicating that they placed the sewer abatement form in the outside mailbox on March

2nd but the Assessing Office indicates that they received it on March 10th which was after the March 1st deadline. Mr. Pratt said that the applicants did supply affidavits testifying that it was placed in that box on March 2nd. Mr. Barrington said that it is impossible to tell if the envelope got stuck in the box and was not seen or if it was placed in the box on that date, but he stated that it is the town's practice to check that mailbox every day. Mrs. Bridle asked if it is a mailbox. Mr. Barrington said that it is a night drop box. Mr. Sullivan said that anything is possible and he would be willing to give them the benefit of the doubt.

Mr. Sullivan MOTIONED to approve the sewer abatement request of Mr. & Mrs. Granford.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

Mr. Sullivan said that it is the resident's responsibility to get the applications in on time.

Memorial for September 11th.

Mr. Sullivan told the Board that a family in town would like to donate a permanent memorial to be placed in front of Station II on Winnacunnet Road to honor the hundreds of people that were killed on September 11, 2001. He explained that they will be having a bronze plaque made and mounted on a granite rock that Mr. Hangen had and placed on the site. Mr. Sullivan suggested that a dedication of the stone be held on Memorial Day. Mr. Pratt suggested it be dedicated on September 11th. Mr. Warburton noted that this year's Memorial Day parade is going to be larger than usual and that dedication may be appropriate. Mr. Barrington said that if the value is less than \$600 a public hearing is not needed. Mr. Sullivan said that the Board of Selectmen would have to approve the placement of the memorial on town property. Mrs. Bridle noted that it is a memorial for all victims not just the firefighters.

Gray Funeral Home

Mr. Barrington told the Board that he did check with the Planning Board regarding any requirements that may have been in place for the paved area in front of the Gray Funeral Home and there were none. He said that if there is no objection he would like to allow Mr. Gray to remove the pavement and make it a green area.

Mr. Sullivan MOTIONED that the Board of Selectmen allow Mr. Gray to beautify the area in front of the funeral home.

Mr. Pratt SECONDED

Mrs. Bridle said that there are places all over town where people have planted on town property and the Board has objected. Mr. Workman agreed with Mrs. Bridle.

VOTE: 3 FOR

2 OPPOSED (Bridle, Workman)

Mr. Sullivan MOTIONED that the Board meet in a non-public session at the conclusion of the meeting for a brief personnel matter under RSA 91-A:3 II

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

April 21st Meeting

Mr. Warburton told the Board that he has a planned vacation and will be out of town for the next meeting and said that he would set the agenda if the Board would like to meet. The consensus of the Board was to plan to meet and if there are no agenda items, the meeting may be cancelled.

V. MINUTES

The minutes of April 7, 2003 were reviewed with no changes made.

VI. ADJOURNMENT

Mr. Sullivan MOTIONED that the meeting be adjourned. (8:08 PM)

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Chairman

